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CPA/2615  
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PATENT  
ATTORNEY DOCKET NO.: 041465-5053-01

# 10 / CPA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
**BOX CPA**  
Washington, D.C. 20231

PRIOR APPLICATION: Examiner: C. Onuaku  
Group Art Unit: 2615

**RECEIVED**  
**CONTINUED PROSECUTION APPLICATION (CPA)**  
**REQUEST UNDER 37 C.F.R. § 1.53(d)** **AUG 22 2002**

Technology Center 2600

This is a request for filing a

[X] Continuation [ ] Divisional application under the Continued Prosecution Application procedure of 37 C.F.R. § 1.53(d) of prior application no. 09/200,430, filed November 27, 1998 for INFORMATION RECORD MEDIUM, AND APPARATUS FOR AND METHOD OF REPRODUCING THE SAME.

1. Please change the Attorney Docket No. to 041465-5053-01.
2. [X] Please enter the amendment previously filed on June 20, 2002 under 37 C.F.R. § 1.116, but unentered in the prior application.
3. [ ] A preliminary amendment is enclosed.
4. [X] The filing fee is calculated on the basis of the claims existing in the prior application as amended at 2 above.

08/21/2002 CCHAU1 00000150 500310 09200430

01 FC:131 740.00 CH  
02 FC:102 336.00 CH

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$ 740.00 Design \$ 330.00
Total Claims (37 C.F.R. § 1.16(c))	17	0	\$ 18.00 each =	+0.00
Independent Claims (37 C.F.R. § 1.16(b))	7	4	\$ 84.00 each =	+336.00
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))			\$280.00	+
SUB-TOTAL =				\$1,076.00
Reduction by ½ for filing by a small entity				- \$
TOTAL FILING FEE =				\$1,076.00

5. ☐ Small entity status is claimed and

☐ a statement claiming small entity status is enclosed, or

☐ a small entity statement was filed in the prior nonprovisional application and is still proper and desired.

6. Extension of Time

☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00

☐ The Commissioner is authorized to charge necessary fees for such extension of time to Deposit Account No. 50-0310.

## 7. Fee Payment

☒ **DEPOSIT ACCOUNT NO. 50-0310**

The Commissioner is hereby authorized to charge **\$1,076.00** to Deposit Account No. 50-0310 for the basic filing fee of \$740.00 and the additional claims fee of \$336.00.

☐ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**

This application is being filed under the provisions of 37 C.F.R. § 1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

## 8. Inventorship

☐ This application is filed by fewer than all the inventors named in the prior application under 37 C.F.R. § 1.53(d)(4).

☐ DELETE the following inventors named in the prior application: \_\_\_\_\_.

☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

9. ☒ The power of attorney in the prior application is to at least one of the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence shall be addressed to that Customer Number.

Please address all correspondence to Morgan, Lewis & Bockius LLP at  
**Customer Number: 009629**

10. ☐ Recognize as associate attorney \_\_\_\_\_.  
(name, address, and registration no.)

11. [X] **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

12. Additional papers enclosed:

- [ ] Information Disclosure Statement
- [ ] Form PTO-1449, \_\_ references included
- [ ] Declaration of Biological Deposit
- [ ] Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: August 20, 2002

By:



Paul A. Fournier

Reg. No. 41,023

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